

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>GWENDOLYN HALL, on behalf of</b>	<b>:</b>	<b>CIVIL ACTION</b>
<b>themselves and all others similarly</b>	<b>:</b>	
<b>situated,</b>	<b>:</b>	
<i>Plaintiffs,</i>	<b>:</b>	
	<b>:</b>	
<b>v.</b>	<b>:</b>	
	<b>:</b>	
<b>ACCOLADE, INC.</b>	<b>:</b>	<b>No. 17-3423</b>
<i>Defendant.</i>	<b>:</b>	

**ORDER**

**AND NOW**, this 22<sup>nd</sup> day of August, 2019, upon consideration of Plaintiff’s Unopposed Motion for Preliminary Approval of the Class Action Settlement and Other Related Relief (“Motion”) (Doc. No. 85), the accompanying “Class/Collective Action Settlement Agreement” (“Agreement”) (Doc. No. 85-1), the accompanying Declaration of Peter Winebrake (Doc. No. 85-2), the accompanying Declaration of Tiffanie Benfer (Doc. No. 85-3), the accompanying memorandum of law (Doc. No. 85-4), the oral argument thereon held on June 7, 2019, the parties’ June 28, 2019 Supplemental Submission in Further Support of the Motion (Doc. No. 89), and all other papers and proceedings herein, it is **ORDERED** that:

1. The Motion is **GRANTED**, and the settlement of this action is **PRELIMINARILY APPROVED** because it appears that, at the final approval stage, the Court “will likely be able to” approve the settlement under the criteria described in Federal Rule of Civil Procedure (“Federal Rule”) 23(e)(2) and certify the settlement class under the criteria described in Federal Rules 23(a) and 23(b)(3). *See* Fed. R. Civ. P. 23(e)(1)(B)(i)-(ii);

2. The amended “Notice of Settlement” forms (“Notice Forms”) attached to the Supplemental Submission in Further Support of the Motion (Doc. No. 89) are approved pursuant

to Federal Rules 23(c)(2)(B) and 23(e)(1). The Notice Forms shall be sent to the 323 individuals listed in Exhibit A to the Agreement;

3. Individuals who wish to exclude themselves from the settlement must follow the procedures described in paragraph 7 of the Agreement and Section 7 of the Notice Forms;

4. Individuals who wish to object to the settlement must follow the procedures described in paragraph 8 of the Agreement and Section 8 of the Notice Forms;

5. Winebrake & Santillo, LLC and Hardwick Benfer, LLC are appointed interim class counsel pursuant to Federal Rule 23(g)(3) and shall ensure that the notice and claim process contemplated by the Agreement is followed. The Court will make its final decision regarding the appointment of class counsel after the final approval and pursuant to the criteria described in Federal Rule 23(g)(1);

6. Pursuant to Federal Rule 23(e)(2), a hearing addressing final approval of the settlement will be held on January 6, 2020 at 11:00 a.m. in Courtroom 10B of the United States Courthouse, 601 Market Street, Philadelphia, PA 19106. During this hearing, the Court will hear from any objectors or other class members who wish to address the Court and will hear argument from counsel regarding, *inter alia*, the following issues: whether the settlement warrants final approval under Federal Rule 23(e)(2) and 29 U.S.C. § 216(b); whether the settlement class should be certified under Federal Rules 23(a) and 23(b)(3); whether a collective resolution of the claims of the 63 individuals who previously joined the FLSA collective is appropriate under 29 U.S.C. § 216(b); whether the service awards described in paragraph 11 of the Agreement should be approved; and whether the fees, litigation costs and settlement administration expenses sought by interim class counsel and described in paragraph 10 of the Agreement should be approved under Federal Rule 23(h); and

7. Thirty (30) calendar days prior to the final approval hearing, interim class counsel shall file all papers in support of the final approval of the settlement and the associated issues described in paragraphs 5 and 6 above.

BY THE COURT:

S/Gene E.K. Pratter  
GENE E.K. PRATTER  
UNITED STATES DISTRICT JUDGE